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REMARKS

There are 45 claims pending in the application comprising claims 36-62 and 65-68. Claim 66 has been amended. Support for the amendments can be found throughout the specification. Also, new claims 69-88 have been added for the Examiner's review. The support for these claims can be found throughout specification, but more particularly claim 16 as filed, paras. 13, 23 and 62 of the published application, and Figs 43A, 43B, 45A-45L and 46-49. No new matter is added in connection with these amendments. Claims 1-35 and 63-64, which were previously withdrawn due to a restriction requirement, are cancelled without prejudice. As previously indicated, Applicants reserve the right to pursue divisional or continuation applications on the subject matter of claims 1-15 and 63-64.

The present Office Action states that claims 36-62, and 65-68 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Publication No. US 2001/0049470 to Mault et al. ("Mault"). However, all the features of claims 36-63 and 65-68 is not described or suggested by Mault.

For example, all the features of claim 36 are not described or suggested by Mault. Mault is directed to weight loss through diet and activity monitoring. Mault describes a system that monitors the energy used and the caloric intake during a day. Monitoring device 10 of Mault is described to include a body activity monitor that "monitors some aspect of the subject's body activity allowing the person's total activity or caloric expenditure to be reasonably determined." (Mault ¶ 33.) The monitoring device also displays a consumption notation control and a time of day. (Mault ¶ 34; *see also* Figs. 3A and 10.).

Claim 36 of the present application, however, is directed to providing current performance feedback to athletes and to provide performance tracking during different sets. For example, Mault does not describe or suggest describe the displaying to the user on the wrist-worn display device not only the current speed of movement but also the current heart rate of the user. Nowhere does Mault describe such a feature. The Office Action appears to rely on FIG. 5 and possibly FIGS. 7 and 8 and related discussions. However, those figures illustrate the display of previously logged information on a user's PC, not the current speed of movement and heart rate. For example, Mault, specifically states "FIG. 5 shows a sample screen display from a local computing device such as a home computer." (Mault ¶ 40, *see also* ¶¶ 25, 27, 28.)(emphasis added.) In addition, Mault describes how to determine a subject's average speed over a

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previously recorded distance, i.e., the local computing device displays "running route A: 4.3 miles at 5.7 mph." (Mault ¶ 40.) Moreover, even in the context of a personal computer, Mault does not describe displaying heart rate data (e.g., with the speed data).

Moreover, based on Applicant's review, Applicant request an explanation of how Mault enables to those of ordinary skill in the art a system including such displays even though based on Applicant's review there is no discussion of such features within Mault.

In addition, Mault does not describe or suggest the recited storage device of claim 36. For example, the storage device as claimed is described to receive the current heart rate output from the heart rate data sensor and the current speed of movement output from the speed data sensor device to store a log of data. Mault describes a system that only receives data from the Central Processing Unit in that the memory is for supporting the operation of the Central Processing Unit. The memory in Mault is not described to include such functionality because, for example, the illustrations in FIGS. 2 and 4 do not show connection lines connecting the memory to the hear rate sensor.

Accordingly, all the features of claim 36 are not described or suggested by Mault. Claim 37-49, which share claim 36 as a base independent claim, are not described or suggested by Mault at least for the same reasons provided above with respect to claim 36.

Claim 50 is also distinguishable for some of the same reasons abs provided for claim 36. For example, claim 50 recites that the data-logging device a separate wireless transceiver separate from the wireless transceiver of the user interface device. Based on Applicant's review, the system in Mault does not describe or suggest the memory including such a wireless feature. Moreover, claim 50 recites a modular personal network, which is a term that the Applicant has defined in the specification. As such, Mault does not describe or suggest a modular personal network (e.g., a network that allows a user to mix and match personal network components).

Accordingly, all the features of claim 50 are not described or suggested by Mault. Claim 51-62, which share claim 50 as a base independent claim, are not described or suggested by Mault at least for the same reasons provided above with respect to claim 50.

With respect to claims 65 and 68, for example, as describe above, Mault does not describe or suggest simultaneously displaying on a personal computer heart rate data and speed data collected by a first and second wireless device worn or carried by a user. With respect to

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claim 66, also as described above, Mault does not describe displaying heart rate and speed or position data on the display device worn by the user. Accordingly, all the features of claims 65, 66, and 68 are not described or suggested by Mault. Claim 67 is not described or suggested by Mault at least for the same reasons as provided above for claim 66.

In view of the above remarks, the Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. 102 rejection.

New claims 69-82 depend from allowable claims 36, 50 and 66 should be allowable for at least the same reasons.


The office action notes that U.S. Patent Publication No. US 2005/0113650 to Pacione et al. ("Pacione") discloses a system for monitoring and managing body weight and other physiological conditions including iterative and personalized planning, intervention and reporting capability. However, there are no rejections noted in the office action based on Pacione. Applicants fail to understand the significance of the cite to Pacione. If this was meant to be a rejection, clarification is sought, and applicants reserve all rights to respond.

Applicants also bring to the attention of the Examiner that a copending application that is a continuation-in-part application of the present application is receiving prosecution at the Patent Office before a different examiner. The copending application is U.S. Patent Application No. 10/764,287. References cited by the Examiner in that application are filed herewith in the attached Information Disclosure Statement.

In view of the foregoing, it is believed that the entire application is now in condition for allowance, early notice of which would be appreciated. Should the Examiner not agree, a personal or telephonic interview is respectfully requested to discuss any remaining issues in an effort to expedite the allowance of this application.

Respectfully submitted,

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Date


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